

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

v.

KYLE MORRIS

)
)
)
) Case No. 1:22-cr-00068-SE-1
)
)
)

ASSENTED-TO MOTION TO CONTINUE

NOW COMES the Defendant, Kyle Morris, by and through counsel, and moves this Honorable Court to continue the Sentencing Hearing scheduled in this matter for a period of 20 days, as the Court's docket permits. In support of this, the Defendant as follows:

1. The Defendant has been charged with Possession of a Machinegun in violation of 18 U.S.C. § 922(o).

2. This matter is scheduled for a Sentencing Hearing on April 26, 2023, at 10:00 a.m.

3. The Defendant needs additional time to respond to the Presentence Investigation Report and to provide Probation information regarding the Defendant's living situation upon release.

4. Defense counsel is presently appearing before the Rockingham County Superior Court for a jury trial in the matter of *State of New Hampshire v. Spath*. The trial commenced on Monday, April 3, 2023, and is ongoing. At this time, it is anticipated that this trial, including jury deliberation, may proceed into next week.

5. Defense counsel's focus has been preparation for this week-long (plus) trial.

6. AUSA Alexander Chen, Esquire, has been contacted and assents to this Motion to Continue.

7. USPO Daniel Whitmoyer has been contacted and assents to this Motion to Continue.

WHEREFORE, the Defendant prays for the following relief:

A. To continue the April 26, 2023, Sentencing Hearing for a period of 20 days, as the Court's docket permits (defense counsel is unavailable for hearings from May 19, 2023, May 29, 2023); and

B. For such other relief the Court deems equitable and just.

Respectfully submitted,
Kyle Morris
By his attorneys,

WILSON, BUSH & KEEFE, P.C.

Dated: April 6, 2023

/s/ Charles J. Keefe
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Assented-Motion to Continue was this day forwarded to Alexander S. Chen, Esquire, Assistant United States Attorney, and to Daniel Whitmoyer, United States Probation Officer, through the Electronic Case Filing System.

Dated: April 6, 2023

/s/ Charles J. Keefe
Charles J. Keefe